

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FRANCES KALENDER,

Plaintiff,

-v-

KEEPCUP LTD.,

Defendant.

20-CV-3407 (JPO)

ORDER

J. Paul Oetken, United States District Judge:

Plaintiff Frances Kalender commenced this action on May 1, 2020. (Dkt. No. 1.) On August 3, 2020, Plaintiff was directed to notify the Court whether she intended to move for default judgment against Defendant, who was served on May 5, 2020, but had neither entered an appearance nor filed a response to the complaint. (Dkt. No. 6.) The Court ordered Plaintiff by August 17, 2020, to either (1) file a letter concerning the status of the case, or (2) move for default judgment against Defendant. (*Id.*) If Plaintiff failed to comply, the Court advised that “the action may be dismissed for failure to prosecute.” (*Id.*)

As of the date of this Order, Plaintiff has neither filed a letter concerning the status of the case nor moved for default judgment against Defendant. Accordingly, this case is dismissed without prejudice for failure to prosecute.

The Clerk is directed to terminate the case.

SO ORDERED.

Dated: August 18, 2020
New York, New York



J. PAUL OETKEN
United States District Judge